

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

**CIVIL CASE NO. 1:10cv277
[Criminal Case No. 1:05cr248]**

DANNY JOE BROOKS,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

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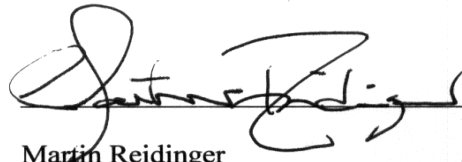
ORDER

THIS MATTER is before the Court on the Government's Motion to Dismiss [Doc. 6].

The Motion to Dismiss was filed on the same day as the Government's Answer to the Petitioner's Motion to Vacate, Set Aside or Correct Sentence. [Doc. 5]. The Petitioner timely filed response to the Answer [Doc. 8] but did not caption that response as also addressing the Motion to Dismiss. Out of an abundance of caution in view of the Petitioner's pro se status, the Court will provide an additional period of time for response which may specifically address the motion to dismiss.

IT IS, THEREFORE, ORDERED that on or before thirty (30) days from the entry of this Order, the Petitioner may file a response to the Government's Motion to Dismiss [Doc. 6] which may not exceed ten (10) pages in length.

Signed: January 6, 2012


Martin Reidinger
United States District Judge

